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REBUTTLE TO COURT REPORTER'S  
TRANSCRIPTS.

TO: U.S. DISTRICT COURT-HOUSTON, TX.

FROM: SCOTT HESS. TX. INMATE 1841004  
HIGHTOWER UNIT

United States Courts  
Southern District of Texas  
FILED

AUG 25 2015

RE: CIVIL ACTION H-15-1759

David J. Bradley, Clerk of Court

IN THE TRANSCRIPT OF 9-14-12, IN THE  
ADMONISHMENTS BY JUDGE MIGDALIA LOPEZ,  
I NOTICED RIGHT AWAY THAT A STATEMENT  
THAT I KNOW IS SUPPOSED TO BE INCLUDED  
HAS BEEN OMITTED. HERE JUDGE LOPEZ STATES  
CLEARLY THAT MY "GUILTY PLEA WAIVES MY  
RIGHT TO APPEAL". THIS WOULD BE JUDICIAL  
MISCONDUCT IF THE REPORTER HAD NOT LIED.

THIS ALERTED ME TO GO THROUGH THE TRANS-  
SCRIPTS VERY CAREFULLY - AND I SEE  
THAT MUCH OF WHAT IS RECORDED - NEVER  
ACTUALLY WAS SAID IN THE COURTROOM.

THESE FALSE ENTRIES ALL HAVE A COMMON  
THREAD. THE REPORTERS GO "OVERBOARD" TO  
SHOW THAT MY APPOINTED COUNSEL IS THE ONE  
THAT MADE SPECIAL EFFORT TO MAKE SURE

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THAT MY QUESTIONABLE MENTAL STATE - BOTH AT THE TIME OF MY ARREST AND IN COURT - WAS SUFFICIENTLY ADDRESSED. ALL THIS IS NO SUBSTITUTE FOR A "BONA FIDE" AND AUTHENTIC PSYCHIATRIC EVALUATION.

IN 3 PLACES THERE ARE 3 BLATANT LIES. THE FIRST OBVIOUS LIE BY THE REPORTER IS FOUND IN THE RECORD FROM 9-14-12. MR. SOROLA - MY APPOINTED COUNSEL IS QUOTED AS SAYING, ON LINE 11 AND 12 ON PAGE 9, THAT HE SPOKE WITH ME ON "SEVERAL OCCASIONS". THIS IS EITHER A LIE BY MR. SOROLA OR THE COURT REPORTER KARY RICHARDSON. IT HAS TO BE ONE OR THE OTHER, AS WE SEE THAT THERE WAS ONLY ONE OTHER OCCASION THAT MR. SOROLA HAD A CHANCE TO TO SPEAK WITH ME - ON 9-5-12. THERE IS NO RECORD OF HIM EVER SPEAKING TO ME - OR BEING WITH ME - AT ANY OTHER TIME. HE DID NOT VISIT ME IN THE COUNTY JAIL... NOTHING!

THEN WE SEE THE ACCOUNT OF COURT REPORTER SUE CHENEY ON 10-10-12. SEE PAGE 4, LINE 18+19... MR. SOROLA IS QUOTED AS SAYING - "MY CLIENT HAS PLEAD GUILTY FROM THE VERY BEGINNING". THIS DOES NOT "JIVE" WITH THE ENTRIES OF THE DOCKET. (SEE ATTACHMENT 1).

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WE SEE AN ENTRY BY "N. A." SUPPOSEDLY ON 8-7-12... HERE I PLEAD NOT GUILTY. SO WHICH IS TRUE? THEN ON ANOTHER VERSION OF THE DOCKET (SEE ATTACHMENT 2) ON 9-14-12... THE RECORD SHOWS ME PLEADING "NOLO CONTENDERE". WHAT MAY SEEM TO BE HARMLESS ERRORS ARE IN FACT ATTACKS ON TRUTH - THAT MATTERS QUITE A BIT!

AND IN THE TRANSCRIPTS FROM 10-10-12, ON LINE 20, MY ATTORNEY, MR. SOROLA, IS QUOTED AS SAYING - "I" HAD THE DEFENDANT EVALUATED BY DR. MORON.

IN THE FIRST PLACE, DR. MORON IS NOT A LICENSED PSYCHIATRIST - BUT MEARLY A PSYCHOLOGIST. (MY PROBLEM IS A MEDICAL ONE) AND IN THE 2ND PLACE THE DATE OF THIS, INSUFFICIENT EXAM WAS IN FACT BEFORE MR. SOROLA WAS EVER APPOINTED TO ME - IN COURT, AS STATED ON THE DOCKET SHEET ON 9-5-12. THIS WAS MY FIRST "ACTIVE" APPEARANCE.

AND JESSICA CARIZALES - "J.C." - IS THE COURT COORDINATOR WHO LOGS MY 3 ACTIVE APPEARANCES AS BEING ON 9-5-12, 9-14-12, AND 10-10-12. (AGAIN SEE ATTACHMENT 1) WHOEVER HAS THE INITIALS N.A. (ASSUMABLY THE COURT ADMINISTRATOR) HAS FALSIFIED THIS DOCKET.

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THE DOCKET SHEETS IN ATTACHMENT 2 REFLECT THESE FALSE ENTRIES.

IT WAS ON 9-5-12 THAT MY COUNSEL TOLD ME THAT I HAD "MADE A CONFESSION" IN MY EARLIER EVALUATION WITH DR. MURON. I KNEW THAT WASN'T RIGHT. I CLEARLY EXPLAINED TO DR. MURON, AND THIS WAS IN FACT TAPE RECORDED, THAT THIS WAS A COMPLETELY INADVERTANT ACT.

IT IS PLAIN TO SEE ~~FOR~~ JUST FROM THESE 3 MISTAKES - THESE 3 IMPORTANT MISTAKES RUINS THE CREDIBILITY OF THE 197<sup>TH</sup> DISTRICT COURT.

MR. SOROLA NEVER SAID THAT HE SPOKE TO ME ON "SEVERAL OCCASIONS". HE NEVER SAID THAT I HAD "PLEADED GUILTY FROM THE VERY BEGINNING". NOR THAT IT WAS HIS DOING THAT I HAD THE INTERVIEW WITH DR. MURON... HE COULDN'T HAVE... HE WAS APPOINTED AFTER THE, "SO CALLED" EXAM.

MR. SOROLA DID NOT LIE IN COURT ON 9-14-12 AND 10-10-12. BUT HE DID HAVE A HAND IN "TRICKING" ME INTO MAKING AN OPEN GUILTY PLEA - EXPOSING ME TO THE MAXIMUM PUNISHMENT

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WHICH I DID RECIEVE FROM JUDGE LOPEZ. (SEE ATTACHMENT #3)

OK. LETS GET BACK TO ATTACHMENT ONE. I DONT DISPUTE THE FIRST ORDER MADE ON 7-15-12 BY "N.A"... HOWEVER THE SECOND ORDER IS COMPLETELY FABRICATED. I HAD NO ATTORNEY AT THAT TIME. MY ORIGINAL COURT APPOINTED ATTORNEY, MR. GALARZA, FAILED TO SHOW ON 3 OCCASIONS. THE LAST BEING ON 9-5-12 - THE DAY THE COURT APPOINTED MR. SUROLA (A REGULAR IN JUDGE LOPEZ' COURTROOM)

THE 9-5-12 ENTRY BY "J.C." IS CORRECT. NO WHERE DO WE SEE ANY MENTION OF A PSYCHE. EVALUATION. THIS WAS NOT MENTIONED IN THE COURT ON THIS DAY. THIS WAS JUST A PLAIN "STATUS HEARING". AND NOT A "STATUS HEARING ON PSYCHIATRIC EVALUATION AND REPORT". THE FIRST TIME I SAW THESE WORDS WERE WHEN I WAS HANDED THIS COPY OF THE TRANSCRIPTS ON 7-13-15... ONLY DAYS AGO!

BOTH REPORTERS ~~TRANSCRIPTS~~ HAVE FALSIFIED THESE TRANSCRIPTS (A FELONY). IN PAGE 4 LINE 18... ALSO PAGE 5 LINE 12+13 FROM

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THE 9-5-12 ACCOUNT... WHERE MR. SOROLA IS QUOTED AS MENTIONING A ~~PSYCHE~~ PSYCHE. EVALUATION REPORT.

AND ON THE ACCOUNT OF 9-14-12 - I'D LIKE TO POINT OUT EVEN MORE LIES. ON PAGE 3 WE SEE AN ATTACHMENT FROM DETECTIVE DAVID NAVARRO - THEN SEE STATE'S EXHIBIT #2 ON THE LAST PAGE. THIS HAS BEEN FALSIFIED! THERE ARE NO WITNESS STATEMENTS, ON VIDEO OR OTHERWISE. THIS GAMBLER IS BLUFFING! HE FALSIFIED THIS SUPPLEMENTAL REPORT. THIS IS ONE REASON I CAN'T GET MY CLERK RECORDS FROM THE 197<sup>TH</sup> DISTRICT COURT. IF THEY WERE TO SURRENDER THE CLERKS RECORDS - IT WOULD ONLY PROVE ME RIGHT!

AND THE DATE AND SCOPE OF THIS "SUPPOSED" PSYCHIATRIC EVALUATION WOULD BE THE DEMISE OF THE STATE'S CASE AGAINST ME. THE PSYCHOLOGICAL INTERVIEW IS WHERE I'M ACCUSED OF MAKING A "CONFESSION" - NOT TRUE! AS I HAVE ALREADY EXPLAINED.

PLEASE SEE THE STACK OF LETTERS THAT I'VE WRITTEN ~~ATTORNEY~~ ATTEMPTING TO GET MY TRIAL COURT RECORDS AND TRANSCRIPTS FREE - OR HAVE TRIED TO GET A PRICE TO PURCHASE THEM. (ATTACHMENT 4)

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SO WHERE ARE THE CLERKS RECORDS?  
MAGISTRATE MORGAN FROM THE U.S.  
DISTRICT COURT IN BROWNSVILLE ORDERED  
THE STATE TO SURRENDER THESE  
RECORDS WAY BACK IN 2013. (SEE  
ATTACHMENT "5") SO... WHY AM I STILL  
ENCARCERATED?

ALSO NOTICE THAT NOWHERE DO WE  
FIND ANY ACCOUNT OF A COMPETANCY  
HEARING.

NOW, BACK TO ATTACHMENT #1...  
NOTICE THE ENTRY OF 9-14-12 BY "J.C."  
IT SAYS "DEFENDANT ASKED TO BE  
RE-ARRAIGNED"... NOT TRUE! I HAD NO  
ARRAIGNMENT BEFORE THIS DATE.

THEN THIS SAME ENTRY STATES: "IT  
CLEARLY APPEARING TO THE COURT  
THAT THE DEFENDANT IS MENTALLY  
COMPETANT..." IS THIS "OPINION" BASED  
ON THE COURT REPORTERS EXPERTIS  
IN PSYCHIATRY? MY DISABILITY IS  
NOT VISABLE. AND I WAS IN A STATE  
OF SHOCK AT THIS TIME - REALIZING  
THAT I COULD ACTUALLY GO TO PRISON,  
(ANXIETY ATTACK).

ANOTHER LOOK AT THESE TRANSCRIPTS

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TELL US THAT MY DEFENSE COUNSEL - AND EVEN THE JUDGE ARE TRAINED PROFESSIONALS IN PSYCHIATRY. NOT!

I WAS NEVER PROPERLY EVALUATED BEFORE THIS SENTANCE WAS IMPOSED. A PROPER PSYCHIATRIC EXAM IS DONE WITH A ~~XXXX~~ LISCENSED "PSYCHIATRIST" AND NOT A MERE PSYCHOLOGIST. IT CONSISTS OF A RATHER LENGTHY INTERVIEW AND INVOLVES A WRITTEN QUESTIONNAIRE AND A COMPREHENSIVE DIAGNOSES IS ~~ASSESS~~ ASSESSED AT THIS TIME. THIS GENERALLY TAKES AT LEAST AN HOUR... NOT FIVE MINUTES!

LOOK AHEAD TO THE LAST ENTRY IN THIS DOCKET (ATTACHMENT ONE) ACCORDING TO THIS... MY TWO LETTERS OF INQUIRY WERE WRONGFULLY PRESUMED TO BE A 2ND WRIT ATTEMPT WITH THE STATE. THEN THE JUDGE ORDERS THAT MR. SOROLA BE INVOLVED NOW. THE SAME ATTORNEY WHO "BALED OUT" ON ME - RATHER THAN FILING THE APPEAL LIKE HE PROMISED TO DO... 2 YEARS EARLIER. SO WHY HASN'T MR. SOROLA TRIED TO EVEN CONTACT ME?

PLEASE ALLOW ME TO POINT OUT ONE MORE "LITTLE PROBLEM" WITH THE DOCKET (ATTACHMENT 2)



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LOOKING ON THE FIRST PAGE - NOTICE ON 6-20-12 JUDGE LEAL TRANSFERS MY CASE OUT OF THE APPROPRIATE DISTRICT... TO JUDGE LOPEZ... THE ONE WHO GAVE ME THE MAXIMUM SENTANCE. AND INVOLVED THE MEMBERS OF HER COURT - AND MY DEFENSE COUNSEL (MR. SOROLA) IN A LITTERAL "CONSPIRACY" NEGATIVELY AFFECTING THE HEALTH AND WELFARE OF A ~~DEKAT~~ DISABLED PERSON - ME!

THESE ARE ACTUAL "HATE CRIMES". "OFFICIAL OPRESSION"... WHEN ANY OFFICIAL USES THEIR POSITION TO OPRESS SOMEONE. AND I NEED HELP FILING CHARGES.

TDCJ HAS THE APPROPRIATE AVENUES TO REPORT OUTSIDE CRIME. IN FACT THE ENCOURAGE INMATES TO "SNITCH" ON OTHER CRIMINALS IN THE FREE WORLD. BUT NOT IF IT INVOLVES THE COURTS AND ATTORNEYS. THIS IS THE BASIS OF MY CLAIM AGAINST TDCJ.

I IMAGINE THE TURMENT OF BEING A VICTIM - OVER AND OVER - OF THESE CRIMES AND NOT HAVING ANY WAY TO REPORT THEM. I'M REFERRING TO ALL THESE FALSIFIED DOCUMENTS... AND I STILL CONTINUE TO RECIEVE EVEN MORE FALSE DOCUMENTS. I WANT IT TO STOP!! THIS IS CRUEL AND UNUSUAL PUNISHMENT

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- BY DEFINITION. AND THE ONLY JUSTICE IS TO REPORT THESE CRIMES PROPERLY FOR ME. AND NOT JUST PASSING THE BUCK AND PASSING ME OFF TO SOME OTHER AGENCY. FAILURE TO REPORT A ~~NOT~~ KNOWN CRIME. AND I'M (RIGHTFULLY) PURSUING PUNITIVE DAMAGES FROM T.D.C.J.

NOW - MAY I DISCUSS STATES EXHIBIT ONE ATTACHED TO THESE TRANSCRIPTS. ON THE FIRST PAGE OF THIS WRITTEN "WAIVER AND CONSENT TO STIPULATION OF TESTIMONY, WAIVER OF JURY, AND PLEA OF GUILTY."

SEE QUESTION #1... "I HAVE NEVER BEEN TREATED FOR ANY MENTAL ILLNESS AND NO-ONE HAS EVER SUGGESTED THAT I SHOULD RECIEVE TREATMENT FOR ANY MENTAL ILLNESS. I BELIEVE MYSELF TO BE MENTALLY COMPETANT NOW AND SAME AT THE TIME OF THE COMMISSION OF THE OFFENSE."

THEN NOTICE MY SIGNATURE ON PAGE #3. DOES IT LOOK LIKE I KNEW WHAT THE HECK I WAS SIGNING? CERTAINLY NOT!

I'M THE ONE WHO REQUESTED MY OWN PSYCHIATRIC EVALUATION IN FRONT OF THE COURT - AND NOT ANY ATTORNEY... I HAD NO ATTORNEY AT THIS TIME!! WHY WOULD I SIGN A STATEMENT TO THE CONTRARY? THIS DOCUMENT IS NULL AND VOID. I WAS TAKEN ADVANTAGE OF BY THE COURT AND BOTH THE

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ATTORNEYS APPOINTED FOR MY DEFENSE. THE FIRST, MR GALARZA, WHO FAILED TO SHOW UP ON 3 OCCASIONS. AND MR. SOROLA WHO HAD ME SIGN A WAIVER THAT I DIDN'T EVEN GET A CHANCE TO READ.

THESE ARE, IN FACT, HATE CRIMES - AND I WANT THESE OFFENSES AGAINST ME TREATED AND LABELED AS SUCH.

I FINALLY HAD A CHANCE TO READ THE CONSTITUTION AND THE AMENDMENTS ONLY DAYS AGO AT THIS NEW UNIT. AN ENTIRE AMENDMENT DISCUSSES THE FACT THAT I AM TO BE TRIED IN THE DISTRICT WHERE THE ALLEGED OFFENSE OCCURED.

NOW, PLEASE SEE THE DOCKET SHEET (ATTACHMENT #2)... LOOK WHAT HAPPENED ON 6-20-12. JUDGE JANET LEAL TRANSFERS MY CASE TO ANOTHER JURISDICTION. WHAT THE JUDGE IS PLAINLY SAYING IS THAT SHE REFUSES TO TRY THIS TYPE OF CASE. JUST LIKE THE ATTORNEY MR. GALARZA. WOULD THESE BE CONSIDERED HATE CRIMES? YES.

NOW - ON THE SUBJECT OF "HATE CRIMES" LETS DISCUSS THE ASSISTANT ATTORNEY GENERAL - JOHN MEADOR... THE LEAD

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ATTORNEY FOR T.D.C.J. IN MY FEDERAL HABIAS ACTION. (SEE ATTACHMENT 6)... THIS IS A MOTION FOR "SUMMERY JUDGEMENT AGAINST ME. PLEASE TAKE THE TIME TO READ THIS - AND MY REBUTTLE. (SEE ATTACHMENT #7) CLEARLY THIS MAN HAS IT IN FOR ME.

I ALSO IMPLY THAT A COLLUSION EXISTS BETWEEN MR. MEADOR AND THE U.S. MAGISTRATE IN BROWNSVILLE, JUDGE MORGAN... WHO I CONFRONTED IN A LETTER - DATED 4-24-14. I ALSO INFORMED BOTH PRESIDING JUDGES AT THE U.S. DISTRICT COURT IN BROWNSVILLE REGARDING THIS MATTER (SEE ATTACHMENT #8). AND MAGISTRATE MORGAN DOES THE NOBLE THING - AND RECUSES HIMSELF FROM THIS CASE. (SEE ATTACHMENT #9).

NEXT - PLEASE SEE ATTACHMENT #10. THESE ARE COURT PAPERS PREPARED BY THE ASSISTANT DISTRICT ATTORNEY IN BROWNSVILLE (CAMERON COUNTY) JENNIFER AVENED. COMPARE THIS TO MY REBUTTLE (ATTACHMENT 11). CLEARLY - THIS WOMAN HAS PURPOSELY AND MALICIOUSLY FABRICATED MOST OF THE FACTS IN THIS COURT DOCUMENT.

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TO GET A COMPLETE UNDERSTANDING OF MY ALLEGATIONS... SEE MY LEGAL FILE FOUND IN MY HABIAS ACTION 1:13-CV-190 AT THE U.S. DISTRICT COURT IN BROWNSVILLE. ITEM 59, 62, 64 AND 66, MY COMPLETE FILE. IF YOU'LL READ MY ATTACHMENTS TO MY ~~OUT OF TIME~~ "OUT OF TIME APPEAL" THAT I DID ~~NOT~~ NOT FILE... IT IS CLEARER THE DILEMMA I AM IN.

UNDER THE CIRCUMSTANCES - IT WOULD BE PRUDENT FOR ME TO MAKE A MOTION IN YOUR COURT FOR THE STATE TO SURRENDER MY TRIAL COURT RECORDS. (CLERK'S RECORDS) SO YOU CAN SEE FOR YOURSELF THAT THIS CONFIRMS MOST OF MY ALLEGATIONS AGAINST THE TRIAL COURT. AND I'D ASK THAT I BE SENT A COPY AS WELL.

ALSO... AFTER MY ARREST ON 4-19-12 - IT WASN'T UNTILL 7-27-12 THAT I WAS APPOINTED COUNSEL. (SEE ATTACHMENT!) AND IT WASN'T UNTILL 9-5-12 THAT I ACTULLY HAD COUNSEL. (INSUFFICIENT COUNSEL BY THE WAY). WHAT SHOULD HAVE HAPPENED WOULD HAVE BEEN FOR JUDGE LOPEZ TO DISMISS MY CASE AT MY FIRST COURT

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APPEARANCE. BUT JUDGE LOPEZ MALICIOUSLY DECIDED TO CONTINUE IN MY PROCEEDINGS. THIS IS ALSO A HATE CRIME.

I HAVE ALSO ENCLOSED A COPY OF MY COMPLAINT THAT I MADE TO THE "5<sup>TH</sup> CIRCUIT COURT OF APPEALS" CONCERNING THE JUDICIAL MISCONDUCT AT THE U.S. DISTRICT COURT IN BROWNSVILLE... JUST SO YOU CAN SEE HOW THE 197<sup>TH</sup> DISTRICT COURT (HON. JUDGE MILDALIA LOPEZ) HAS CORRUPTED U.S. MAGISTRATE MORGAN. AND HOW THIS LED TO FALSIFICATION OF FEDERAL RECORDS BY MAGISTRATE MORGAN AND HON. PRESIDING JUDGE TALE AT THE U.S. DISTRICT COURT IN BROWNSVILLE - AND HON. JUDGE RAMOS IN CORPUS CHRISTIE. SEE ATTACHMENT #12).

I PRAY FOR JUSTICE IN ALL THESE MATTERS.

I DECLARE UNDER PENALTY OF PERJURY THAT THE STATEMENTS MADE IN THIS COMPLAINT ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE.

SIGNED THIS 8<sup>TH</sup> DAY OF AUGUST, 2015.

*John W. Henri*